

Amendments to the Drawings

Applicant submits herewith a new drawing sheet with added FIGS. 6 and 7, which show the features as claimed in claims 2, 9, 13 and 20 and described in applicant's specification.

Attachment: New Sheet of Drawings (FIGS. 6 and 7)

REMARKS

This paper is being submitted in response to the Office Action mailed in the application on October 5, 2005. Applicants also submit herewith a Petition and fee (\$1020) for a three-month Extension of Time to respond to the Office Action. Authorization has been provided to charge any additional fees necessary for entry of this Amendment to Deposit Account 50-2616.

Claims 1-21 are pending in the application. Claims 1, 2, 4-10 and 12-21 have been amended herein and claim 11 has been cancelled without prejudice.

The Examiner has objected to the drawings under 37 CFR § 1.83(a) as not showing every feature of the invention as specified in the claims. FIGS. 6 and 7 have been added to show the features of an alternative embodiment of a tray forming sheet and an alternative stiffening sheet having ends and sides as set forth in claims 2, 9, 13 and 20 and as described in applicant's specification on page 3, lines 2-3. The specification has been amended accordingly. Applicant submits that no new matter has been entered. Applicant respectfully requests that the New Drawing Sheet submitted herewith, including added FIGS. 6 and 7, be accepted and entered by the Examiner.

The Examiner has rejected applicant's claims 1-11 and 17 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has cancelled claim 11 and has amended claims 1, 2, 4-10 and 17 to address the Examiner's specific rejections thereto under 35 U.S.C. § 112, second paragraph. Applicant respectfully submits that claims 1-10 and 17, as amended, comply with the requirements of 35 U.S.C. § 112, second paragraph.

Applicant gratefully acknowledges that the Examiner has indicated that claims 14 and 15 are directed to allowable subject matter and would be allowable if rewritten in independent

form including the limitations of the base claim and any intervening claim(s). Applicant further acknowledges that the Examiner has indicated claims 4 and 5 would be allowable if rewritten to overcome the rejections thereto under 35 U.S.C. § 112, second paragraph and to include the limitations of the base claim and any intervening claim(s).

The Examiner has rejected applicant's claims 12, 13, and 17-21 under 35 U.S.C. § 102(b) as being anticipated by Langston, Jr. et al. (U.S. Patent No. 4,380,314). The Examiner has rejected applicant's claim 16 under 35 U.S.C. § 103(a) as being unpatentable over Langston, Jr. et al. The Examiner has rejected claims 1-3 and 6-11 under 35 U.S.C. § 103(a) as being unpatentable over Langston, Jr. et al. in view of any one of Laido (U.S. Patent No. 4,802,619), Wolf (U.S. Patent No. 2,084,965) or Bauer et al. (U.S. Patent No. 1,046,945). With respect to applicant's claims, as amended, the Examiner's rejections are respectfully traversed.

Applicant's claims, including independent claims 1, 8, 12 and 18, have been amended to more clearly recite the feature of the present invention. In particular, claim 1, which is directed to a double-walled gift box apparatus comprising a base box and cover each formed as a double walled tray, and claim 12, which is directed to a double-walled gift box apparatus comprising a base box formed as a double walled tray, each have been amended to recite that the apparatus further comprises creased gussets connecting the inner side panels and inner end panels of a tray forming sheet wherein the gussets, when folded, are tucked into spaces between the inner and outer end panels of the tray forming sheet. This limitation directed to the creased gussets was previously included in claims 4 and 14, which were indicated by the Examiner to be allowable if rewritten in independent form. Claims 8 and 18, which are directed methods for fabricating the gift box apparatus corresponding to claims 1 and 12, respectively, have been similarly amended.

The present invention teaches a double-walled gift box apparatus and method of fabricating such apparatus wherein the side and end panels of a tray forming sheet or blank, as shown by sheet 10 in Figure 1 and by sheet 71 in Figure 6, are creased and folded along a main panel and are further creased and refolded along their midlines to form inner and outer side panels and inner and outer end panels to form the double thickness walls of the tray. The sheets further include webs or gussets (31 in Fig. 1; 95 in Fig. 6) that connect the inner side panels and inner end panels of the sheet. The gussets are folded along a diagonal crease (32 in Fig. 1; 97 in Fig. 6) and tucked between inner and outer end panels when the double walled tray is constructed.

Such construction is neither taught nor suggested by the cited Langston, Jr. et al. patent. According to the Examiner, Langston, Jr. et al. discloses a double walled tray including a stiffening sheet 414 (as shown in FIG. 11) with sides and ends 416, which is secured and folded between folded over portions of the side walls and end walls of a tray forming sheet. However, Langston, Jr. et al. does not teach or suggest a double-walled gift box apparatus having creased gussets connecting inner end panels and inner side panels of the tray forming sheet, as required by applicant's amended claims. Moreover, Langston, Jr. et al. does not teach or suggest that the creased gussets, when folded, are tucked into spaces between the inner and outer end panels of the tray forming sheet, as further required by applicant's amended claims.

Applicant's independent claims 1, 8, 12 and 18, all of which recite these features in one form or another, thus patentably distinguish over the Langston Jr. et al. patent. The cited Laido, Wolf and Bauer et al. patents add nothing to change this conclusion. Applicant's amended independent claims, and their respective dependent claims, are therefore submitted as patentable. Reconsideration of these claims is thus respectfully requested.

If the Examiner believes that an interview would expedite consideration of this Amendment or of the application, a request is made that the Examiner telephone applicant's counsel at (212) 318-5675.

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MEADWESTVACO CORPORATION
299 Park Avenue, Floor 13
New York, New York 10171
T (212) 318-5675

Respectfully submitted,

Alexandra B. Urban

Alexandra B. Urban
Reg. No. 45,171
Attorney of Record